

PECKAR & ABRAMSON, P.C.

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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EARLE REFINING, LLC,

Plaintiff,

vs.

NEW VACUUM TECHNOLOGIES LLC and
NORTH JERSEY PETROLEUM
OPERATIONS, LLC,

Defendants.

Case No. 3:22-cv-04469-GC

ECF CASE – Electronically Filed

**NOTICE OF MOTION TO
DISMISS THE COMPLAINT FOR
LACK OF SUBJECT MATTER
JURISDICTION OR IN THE
ALTERNATIVE TO DISMISS OR
STAY PURSUANT TO THE
FEDERAL ARBITRATION ACT**

PLEASE TAKE NOTICE that, upon the Complaint, the Declaration of Joseph Laura, with exhibits attached thereto, and the accompanying Memorandum of Law in Support of Motion, Defendants New Vacuum Technologies, LLC (“NVT”) and North Jersey Petroleum Operations, LLC (“NJPO” and, with NVT, collectively (“Defendants”), by their attorneys, Peckar & Abramson, P.C., will move this Court, at the United States District Court, 402 East State Street Office Room 2020, Trenton, New Jersey 08608, before the Honorable Georgette Castner, U.S.D.J., on September 6, 2022, for an Order dismissing the Complaint without prejudice pursuant to Federal Rule of Civil Procedure 12(b)(1) and/or dismissing or staying the Complaint pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1 *et seq.* (“FAA”).

PLEASE TAKE FURTHER NOTICE that answering and reply papers to this motion shall be served in accordance with Local Rule 7.1 of this Court.

LAW OFFICES

**Peckar &
Abramson**

A Professional Corporation

Dated: August 4, 2022

PECKAR & ABRAMSON, P.C.

By: /s/ Kevin J. O'Connor
KEVIN J. O'CONNOR, ESQ.
70 Grand Avenue
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201-343-3434
Attorneys for Defendants

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DECLARATION OF SERVICE

I state upon penalty of perjury that on August 4, 2022, a true and correct copy of the within Notice of Motion with accompanying documentation was served by ECF.

Dated: August 4, 2022

PECKAR & ABRAMSON, P.C.

By: /s/ Kevin J. O'Connor

KEVIN J. O'CONNOR, ESQ.

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